

REMARKS

The Official Action of November 4, 2008 has been carefully reviewed. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The claims have been amended to be directed to the elected invention. For convenience in entry of the amendment, the claims have been canceled in their entirety and presented as new Claims 27-35. As requested by the Examiner, the method of treatment claims have been canceled without prejudice. Support for this amendment is found in the specification, e.g. at page 5, line 12 to page 25, line 4; and the claims of the application as filed.

Claims 27-35 are pending in the application.

1. Restriction Requirement

Under 35 U.S.C. 121 and 372, the Examiner required restriction among:

- Group I, Claims 14-15 (in part), 17-19 and 20-26 (in part), compounds and compositions wherein Z = pyridine;
- Group II, Claims 14-15 (in part), 16 and 20-26 (in part), compounds and compositions wherein Z = phenyl;
- Group III, Claims 14-15 (in part) and 23-26 (in part), compounds and compositions wherein Z = other heterocyclic rings; and
- Group IV, Claims 14-15 (in part) and 23-26 (in part), compounds and compositions wherein Z = others.

In response to this requirement, the Applicants hereby elect Group I, Claims 14-15 (in part), 17-19 and 20-26 (in part), compounds and compositions wherein Z = pyridine, without traverse.

The claims reading on this group are new Claims 27-35.

This election is being taken without prejudice to the filing of a divisional application directed to the non-elected subject matter. In accordance with the third sentence of 35 U.S.C. § 121, a patent issuing from the instant application should not be a reference against a divisional application filed before the issuance of such patent.

Applicants respectfully contend that the application is allowable and a favorable response from the Examiner is earnestly solicited.

Respectfully submitted,

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